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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Ferguson *et al.*

Appl. No. 09/817,229

Filed: March 27, 2001

For: **Method for Effecting
Neuroprotection**

Confirmation No. 8063

Art Unit: 1646

Examiner: Chernyshev, O.

Atty. Docket: 1669.0040001/SRL/BLS

**Notice of Appeal From the Examiner to the Board
of Patent Appeals and Interferences - Small Entity**

Commissioner for Patents
Washington, D.C. 20231

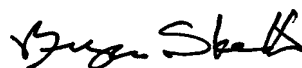
Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the final decision of the Examiner dated August 27, 2002, in which claims 1-20 were finally rejected. The fee (for a qualified small entity) for filing a Notice of Appeal from the Examiner to the Board of Patent Appeals and Interferences (37 C.F.R. § 1.17(b)), along with any necessary extension fees (37 C.F.R. § 1.17(a)), is included in the attached PTO-2038 Credit Card Payment Form.

In the event that extensions of time under 37 C.F.R. § 1.136 other than those otherwise provided for herewith are required to prevent abandonment of this patent application, then such extensions of time are hereby petitioned. The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



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Date: February 20, 2003

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